

**REMARKS**

The Official Action mailed April 20, 2004, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on March 29, 2001, and July 29, 2003.

Claims 1-9, 12-21 and 24-52 are pending in the present application prior to the above amendment, of which claims 1, 5, 9, 16, 21, 28, 39 and 46 are independent. It is noted that the Office Action Summary shows that claims 1-21 and 24-52 are pending; however, claims 10 and 11 were canceled in the *Amendment* filed July 29, 2003. Claim 46 has been amended to better recite the features of the present invention. Claims 39-45 have been withdrawn from consideration by the Examiner. Accordingly, claims 1-9, 12-21, 24-38 and 46-52 are currently elected, of which claims 1, 5, 9, 16, 21, 28 and 46 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 1-38 as obvious based on the combination of U.S. Patent No. 5,148,301 to Sawatsubashi et al., U.S. Patent No. 5,406,399 to Koike and U.S. Patent No. 5,016,987 to Smith, Jr. It is noted that, of claims 1-38, only claims 1-9, 12-21 and 24-38 remain pending. The Applicants respectfully traverse the rejection because the Official Action has not made a *prima facie* case of obviousness.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the

teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims. Claims 1-8, 16-20, 28-34, 36 and 38 recite an EL display device. However, Sawatsubashi, Koike and Smith do not teach or suggest an EL display device. Therefore, Sawatsubashi, Koike and Smith, either alone or in combination, do not teach or suggest at least the above-referenced features of the present invention. Since Sawatsubashi, Koike and Smith do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Furthermore, the Official Action does not provide a sufficient showing of suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify Sawatsubashi, Koike and Smith or to combine reference teachings to achieve the claimed invention.

Independent claims 1, 5, 9, 16, 21 and 28 recite a tapered portion of substrates covered by an adhesive layer and a tape or frame. Sawatsubashi, Koike and Smith, either alone or in combination, do not teach or suggest at least this feature of the present invention. The Official Action concedes that Sawatsubashi lacks an "adhesive layer being formed closely to the sides of portions of the first and second substrates opposed to each other and a tape being formed closely to the adhesive layer" (page 2,

Paper No. 20040415), that Sawatsubashi lacks “at least one end force of the first substrate and the second substrate is tapered” (page 3, Id.), and that Sawatsubashi implicitly lacks “the tapered portion covered by the adhesive layer and the tape or frame” (Id.). The Official Action asserts that Koike and Smith cure these deficiencies in Sawatsubashi.

Specifically, Sawatsubashi is relied upon to teach a pair of transparent substrates 101 and 102 with a seal member 108 between them; pixel electrodes 103 and TFT 104 for the pixel matrix circuit of the present invention; and gate line driving circuits 113 for the driver circuit of the present invention. Koike is relied upon to teach a protective frame 17 and a bonding agent 20 for both the teaching of a frame and a tape as an allegedly “obvious variation of the frame 17” (page 2, Id.). Smith is relied upon to teach “tapering the edge of a substrate” (page 3, Id.), which appears to refer to the peripheral edges 72, 74 of substrates 56, 58. The Official Action asserts that the “tape and adhesive of [Koike] would cover the taper portion of [Smith]” (Id.). The Applicants respectfully disagree and traverse the above assertions in the Official Action.

In the present invention, a tapered portion of substrates covered by an adhesive layer and a tape or a frame has an advantage over the structures shown by Figure 1 of Koike and Figure 3 of Smith, because, in the present invention, the adhesion strength between substrates can be raised because a contact area between the adhesive layer and the substrates is increased (see pages 18-20).

As noted above, the Official Action asserts that the “tape and adhesive of [Koike] would cover the taper portion of [Smith]” (page 3, Id.), but the Official Action does not provide any further motivation to show why it would have been obvious to do so. The Applicants traverse the above assertion in the Official Action. The Official Action and the prior art appear to be silent as to how or why one of ordinary skill in the art at the time of the invention would have been motivated to arrange the peripheral edges 72, 74 of substrates 56, 58 of Smith, the protective frame 17 and the bonding agent 20 of Koike, and Sawatsubashi’s pair of transparent substrates 101 and 102 with a seal

member 108 between them such that the resulting combination would be provided such that the frame 17 and bonding agent 20 of Koike would cover the peripheral edges 72, 74 of substrates 56, 58 of Smith, which would somehow replace the substrates 101, 102 of Sawatsubashi. The Official Action asserts that it would have been obvious to combine Sawatsubashi with the protective frame 17 and bonding agent 20 of Koike in order to “protect the cell” (page 3, Id.) and that it would have been obvious to combine Sawatsubashi with the peripheral edges 72, 74 of substrates 56, 58 Smith in order to “achieve longer cell life” (Id.). However, these features of Koike and Smith do not teach or suggest covering a tapered portion of substrates with an adhesive layer and a tape or frame. Specifically, it appears that the seal 64 and substrates 56, 58 of Smith have a specific interaction between them due to the chevron shape of the connection between the elements. Such functionality would be lost if one were to substitute the seal 64 of Smith with the protective frame 17 and bonding agent 20 of Koike. Therefore, the Applicants respectfully submit that one of ordinary skill in the art at the time of the invention would not have been motivated to make the combination alleged in the Official Action.

In the present application, it is respectfully submitted that the prior art of record, alone or in combination, does not expressly or impliedly suggest the claimed invention and the Official Action has not presented a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

For the reasons stated above, the Official Action has not formed a proper *prima facie* case of obviousness. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

The Official Action rejects claims 46-52 as obvious based on the combination of Sawatsubashi, Koike and U.S. Patent No. 5,831,710 to Colgan et al. The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claim 46 has been amended to recite a

tapered portion of substrates covered by an adhesive. Sawatsubashi, Koike and Colgan, either alone or in combination, do not teach or suggest at least the above-referenced features of the present invention. Since Sawatsubashi, Koike and Colgan do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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